

MAINE STATE LEGISLATURE

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FIRST REGULAR SESSION

ONE HUNDRED AND NINTH LEGISLATURE

Legislative Document

No. 292

H. P. 247

House of Representatives, February 2, 1979

Referred to the Committee on Labor. Sent up for concurrence and ordered printed.

EDWIN H. PERT, Clerk

Presented by Mr. Wyman of Pittsfield.

Cosponsors: Mr. Dutremble of Biddeford, Mr. Dexter of Kingfield.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SEVENTY-NINE

AN ACT Relating to Penalty Provisions under the Maine Labor Laws.

Be it enacted by the People of the State of Maine, as follows:

Sec. 1. 26 MRSA § 626-A, 1st ¶, as enacted by PL 1975, c. 113, § 5, is repealed and the following enacted in its place:

Whoever violates any of the provisions of sections 621 to 623 or section 626 commits a Class D crime.

Sec. 2. 26 MRSA § 629, last ¶, is repealed and the following enacted in its place:

Any person, firm or corporation violating any of the provisions of this section commits a Class D crime.

Sec. 3. 26 MRSA § 671, first ¶, is repealed and the following enacted in its place:

Any employer who violates this subchapter commits a Class D crime.

Sec. 4. 26 MRSA § 671, 2nd ¶, as amended by PL 1971, c. 620, § 13, is repealed and the following enacted in its place:

Any employer, who discharges or in any other manner discriminates against any employee because that employee makes a complaint to the director or to the county attorney concerning a violation of this subchapter, commits a Class D crime.

Sec. 5. 26 MRSA § 738, as amended by PL 1971, c. 701, § 15, is repealed and the following enacted in its place:

§ 738. Penalty for employers

Any person who violates any of the provisions of sections 701 and 702 commits a Class D crime.

Sec. 6. 26 MRSA § 781 is repealed and the following enacted in its place:

§ 781. Penalties; employers

Any person, firm or corporation, agent or manager of any firm or corporation, who, either for himself or for some firm or corporation, or by himself, or through his agents, servants or foremen, employs, permits or suffers any child to be employed, or to work in violation of any of the provisions of sections 771 to 780, or otherwise fails to comply with any of the provisions of these sections, commits a Class D crime.

STATEMENT OF FACT

These sections of the law intended for the protection of Maine working people are the ones most commonly violated and the only ones which have resulted in court action. Because of the increase in the frequency and seriousness of these violations, it appears necessary to change the penalty provisions in order to give the courts more jurisdiction in deciding the penalty to fit the crime.